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Attorney for: Defendant Oscar Martinez

**FILED**  
OCT 20 2006  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

OSCAR MARTINEZ,

Defendant.

CR NO. 05-00734 RMW RS

JOINT STIPULATION AND <sup>RS</sup>~~[PROPOSED]~~  
ORDER CONTINUING BAIL REVIEW  
HEARING

Defendant Oscar Martinez, through his attorney, and the United States, through its attorney, hereby stipulate and agree and move the Court to continue the bail review hearing of the defendant from its current date of November 1, 2006 to a new date of December 13, 2006 at 2 p.m.. The reason for the continuance is that Mr. Martinez is currently out of the country and cannot appear on November 1; efforts are being made to arrange for his return and appearance before the Court. Furthermore, the parties have asked for Mr. Martinez's sentencing to be rescheduled for December 11, and if Mr. Martinez appears for that sentencing, the bail review hearing may become moot.

Dated: October 12, 2006

Respectfully submitted,

/s/ Mark D. Eibert

STIPULATION AND ~~[PROPOSED]~~ ORDER TO CONTINUE HEARING, U.S. V. OSCAR MARTINEZ, CR NO. 05-00734

1 MARK D. EIBERT  
2 Attorney for Defendant Oscar Martinez  
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4 Respectfully submitted,  
5 /s/ Mark Krotoski  
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7 MARK KROTOSKI  
8 Attorney for the Government

9 **ORDER**

10 Good cause appearing therefore, it is hereby ORDERED that the bail review hearing for  
11 defendant Oscar Martinez shall be continued until December 13, 2006 at 2 p.m.

12 Dated: October 19, 2006

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14 UNITED STATES MAGISTRATE JUDGE  
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